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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91224363
Party	Defendant SendMyBag (NI) Ltd
Correspondence Address	ELIZABETH A. WALKER Choate Hall 2 International PI Ste 3200 Boston, MA 02110-4120 tmadmin@choate.com
Submission	Answer
Filer's Name	Sara M Bauer
Filer's e-mail	tmadmin@choate.com
Signature	/sara bauer/
Date	11/20/2015
Attachments	Answer - sendmybag.pdf(24093 bytes)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In the matter of Application Serial No. 86/515,102
Filed on January 27, 2015
For the trademark **SENDMYBAG**
Published in the *Official Gazette* on June 16, 2015

Luggage Forward, Inc.

Opposer,

v.

SendMyBag (NI) Ltd

Applicant.

Opposition No.: 91224363

APPLICANT'S ANSWER TO NOTICE OF OPPOSITION

SendMyBag (NI) Ltd (“Applicant”) answers the Notice of Opposition filed by Luggage Forward, Inc. (“Opposer”) on October 14, 2015. The Answer paragraphs are numbered to correspond to the numbered paragraphs of the Notice of Opposition. To the extent not explicitly admitted, all allegations of the Notice of Opposition are denied.

In response to the first unnumbered paragraph of the Notice of Opposition, Applicant admits that it is the applicant of the U.S. trademark application for the mark SENDMYBAG,

Application Serial No. 86/515,102, for the following International Class 39 services:

Correspondence delivery by post, messenger and/or courier; delivery and storage of goods; delivery of goods by air, road, rail and sea; delivery of luggage; distribution services, namely, delivery of luggage and personal effects; parcel delivery; parcel shipping services; pick up, delivery and storage of personal property; shipping and delivery services, namely, pickup, transportation, and delivery of packages and letters by various modes of transportation; supply chain logistics and reverse logistics services, namely, storage, transportation and delivery of documents, packages, and other freight for others by air, rail, ship or truck; transport and delivery services by air, road, rail and sea

(“Applicant’s Services”) filed on January 27, 2015 and published in the *Official Gazette* on June 16, 2015 (the “102 Application”). Applicant is without knowledge or information sufficient to form a belief as to the truth or falsity of the remaining allegations set forth in that paragraph and, therefore, denies the same. Applicant further denies that Opposer is entitled to the relief sought.

1. Applicant is without knowledge or information sufficient to form a belief as to the truth or falsity of the allegations in Paragraph 1 of the Notice of Opposition and, therefore, denies the same.

2. Applicant is without knowledge or information sufficient to form a belief as to the truth or falsity of the allegations in Paragraph 2 of the Notice of Opposition and, therefore, denies the same.

3. Applicant is without knowledge or information sufficient to form a belief as to the truth or falsity of the allegations in Paragraph 3 of the Notice of Opposition and, therefore, denies the same.

4. Applicant is without knowledge or information sufficient to form a belief as to the truth or falsity of the allegations in Paragraph 4 of the Notice of Opposition and, therefore, denies the same.

5. Applicant is without knowledge or information sufficient to form a belief as to the truth or falsity of the allegations in Paragraph 5 of the Notice of Opposition and, therefore, denies the same.

6. Applicant denies the allegations contained in Paragraph 6 of the Notice of Opposition.

7. Applicant is without knowledge or information sufficient to form a belief as to the truth or falsity of the allegations in Paragraph 7 of the Notice of Opposition and, therefore, denies the same.

8. Applicant is without knowledge or information sufficient to form a belief as to the truth or falsity of the allegations in Paragraph 8 of the Notice of Opposition and, therefore, denies the same.

9. Applicant is without knowledge or information sufficient to form a belief as to the truth or falsity of the allegations in Paragraph 9 of the Notice of Opposition and, therefore, denies the same.

10. Applicant denies the allegations contained in Paragraph 10 of the Notice of Opposition.

11. Applicant denies the allegations contained in Paragraph 11 of the Notice of Opposition.

12. Applicant repeats and realleges its responses to Paragraphs 1-11 as fully set forth herein.

13. Applicant denies the allegations contained in Paragraph 13 of the Notice of Opposition.

14. Applicant repeats and realleges its responses to Paragraphs 1-13 as filly set forth herein.

15. Applicant denies the allegations contained in Paragraph 15 of the Notice of Opposition.

AFFIRMATIVE DEFENSES

1. Opposer has failed to state a claim for which relief can be granted.
2. Applicant reserves the right to rely on all affirmative defenses that become available or appear through discovery in this proceeding, and Applicant reserves the right to amend its Answer and Affirmative Defenses for the purposes of asserting such affirmative defenses.

WHEREFORE, Applicant prays that this Opposition be dismissed with prejudice and that the notice of allowance be issued.

Respectfully submitted,

SendMyBag (NI) Ltd

Date: November 20, 2015

/s/ Daniel L. Scales

Daniel L. Scales
Sara M. Bauer
Attorneys for Applicant
CHOATE, HALL & STEWART LLP
Two International Place
Boston, Massachusetts 02110
tmadmin@choate.com

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing **APPLICANT'S ANSWER TO THE NOTICE OF OPPOSITION** has this 20th day of November 2015, been mailed by prepaid first class mail to the below-identified counsel for Opposer at his place of business:

Andrew H. DeVoogd
Mints Levin Cohn Ferris Glovsky & Popeo, P.C.
One Financial Center
Boston, Massachusetts 02111

/s/ Sara M. Bauer